



2009 Resolution Process

Voter Pamphlet



2009 RESOLUTION PROCESS VOTER PAMPHLET

Dear Idaho Lawyer:

Unlike many state bars, the Idaho State Bar cannot take positions on legislative matters, rules of court, or substantive rules governing the bar at its Annual Meeting, or by act of its Bar Commissioners, without first submitting such matters to the membership through the Resolution Process. Enclosed are the four resolutions proposed for your consideration during the 2009 Idaho State Bar resolution process -- "The Roadshow."

The resolution meeting agenda is on page 3. In addition to the resolutions, the agenda will include honoring your colleagues receiving the professionalism, pro bono, and retiring judge awards.

The resolution meetings will be held:

<i>First District</i>	Coeur d'Alene	Nov. 13	Hampton Inn	12 Noon
<i>Second District</i>	Lewiston	Nov. 12	Red Lion Hotel	6:00 p.m.
<i>Third District</i>	Caldwell	Nov. 17	Elks Lodge	6:00 p.m.
<i>Fourth District</i>	Boise	Nov. 18	The Grove Hotel	12 Noon
<i>Fifth District</i>	Twin Falls	Nov. 18	Canyon Crest Event Center	6:00 p.m.
<i>Sixth District</i>	Pocatello	Nov. 19	Juniper Hills Country Club	12 Noon
<i>Seventh District</i>	Idaho Falls	Nov. 20	Sandpiper Restaurant	12 Noon

Each judge and active member of the Idaho State Bar has the opportunity to vote at a resolution meeting or by mail. Members in attendance at a resolution meeting will be provided a ballot to vote on the resolution. Members not in attendance at the meeting will be mailed a ballot after the resolution meeting in their district. Ballots may be completed and submitted at the resolution meetings, or mailed, faxed or delivered to the Idaho State Bar office. Issues shall be determined by the total ayes and nays cast statewide. **All ballots must be signed and are due in the Idaho State Bar office by the close of business on Monday, December 7, 2009.**

See you at the District Bar meetings.

B. Newal Squyres
President

Diane K. Minnich
Executive Director

IDAHO STATE BAR
2009 RESOLUTION PROCESS
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09-2 Amendment to Idaho Rule of Professional Conduct 3.8 (Idaho State Bar Board of Commissioners): <i>Requests that members of the Idaho State Bar recommend to the Idaho Supreme Court that Idaho Rules of Professional Conduct 3.8 be amended consistent with the amendments to the ABA Model Rules of Professional Conduct as approved by the ABA House of Delegates in February 2008.</i>	
09-3 Increase in License Fees (Idaho State Bar Board of Commissioners and): <i>Requests that Section III of the Idaho Bar Commission Rules and Idaho Code Section 3-409 be amended to provide for an increase of the annual license fees. The proposed increase in the annual license fees to be phased in over a two (2) year period, with one half of the increase in 2011 and one half of the increase in 2012.</i>	
09-4 Amendment to Section II Admissions of the Idaho Bar Commission Rules (Idaho State Bar Board of Commissioners and Admission Rules Review Committee): <i>Requests that the members of the Idaho State Bar recommend to the Idaho Supreme Court that Section II Admissions of the Idaho Bar Commission Rules be amended consistent with the proposed Amendments to the Rules as proposed by the Admission Rules Review Committee and approved by the Board of Commissioners.</i>	
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IDAHO STATE BAR
2009 RESOLUTION PROCESS
Agenda

- **Welcome, Announcements and Introductions – ISB President B. Newal Squyres and District Bar President**
- **Professionalism, Pro Bono and Retiring Judge Awards**
Award Recipient list is on page 4
- **Presentation of Resolution 09-1 – Commissioner Reed Larsen**
Amendments to Idaho Rules of Professional Conduct 1.0 and 1.10
- **Presentation of Resolution 09-2 – Commissioner Douglas Mushlitz**
Amendment to Idaho Rule of Professional Conduct 3.8
- **Presentation of Resolution 09-3 – President B. Newal Squyres**
Proposed Increase in Attorney License Fees
- **Presentation of Resolution 09-4 – Commissioner Deborah Ferguson**
Amendments to Section II Admissions of the Idaho Bar Commission Rules
- **Local Bar Business**

2009 PROFESSIONALISM, PRO BONO and RETIRING JUDGE AWARD RECIPIENTS

Each year, the Idaho State Bar honors members of the profession for their contributions to their communities and the profession. At least one attorney from each judicial district receives the professional award and attorneys from around the state are recognized for their pro bono efforts.

PROFESSIONALISM AWARDS

First District	Sue S. Flammia	Coeur d'Alene
Second District	Eric K. Peterson	Lewiston
Third District	David E. Kerrick	Nampa
Fourth District	Larry C. Hunter	Boise
	Trudy H. Fouser	Boise
Fifth District	Susan Roy	Twin Falls
Sixth District	Dave R. Gallafent	Pocatello
Seventh District	Michael H. Hinman	Idaho Falls

DENISE O'DONNELL-DAY PRO BONO AWARDS

First District	Amy C. Bistline	Coeur d'Alene
	Mark A. Jackson	Coeur d'Alene
	Peter J. Smith	Coeur d'Alene
Second District	Anne Z. Dwelle	Moscow
Third District	Wayne P. Fuller	Weiser
Fourth District	Vaughn Fisher	Boise
	Mark S. Geston	Boise
	Terri R. Pickens	Boise
Fifth District	Kent D. Jensen	Burley
	Clayne S. Zollinger, Jr.	Rupert
Sixth District	Monte C. Gray	Pocatello
Seventh District	Stephen D. Hall	Idaho Falls
	Chad A. Campos	Idaho Falls

**We will also present the following judges with the Idaho State Bar
Retiring Judges Award:**

First District	Hon. Eugene A. Marano	Coeur d'Alene
Third District	Hon. William B. Dillon III	Payette
	Hon. Stephen W. Drescher	Weiser
Fourth District	Hon. Darrel R. Perry	Boise
	Hon. Kathryn A. Sticklen	Boise
Sixth District	Hon. Ronald M. Hart	Soda Springs
	Hon. Peter D. McDermott	Pocatello
Seventh District	Hon. Brent J. Moss	Rexburg

IDAHO STATE BAR RESOLUTION PROCESS

Unlike most state bars, the Idaho State Bar cannot take positions on legislative matters, rules of court, or substantive rules governing the bar itself at its Annual Meeting, or by act of its Bar Commissioners, without first submitting such matters to the membership through the Resolution Process.

Process

The Resolution Process is set forth in Idaho Bar Commission Rule 906. Briefly summarized, the Resolution Process is as follows:

Submission & Circulation of Resolutions

Resolutions may be submitted by a District Bar Association, by the Board of Commissioners, by a bar committee, or by an individual member of the bar.

Resolutions submitted by a District Bar Association or the Board of Commissioners are automatically included in the resolution process.

Resolutions submitted from other sources are presented to the first meeting of District Bar representatives and the Board of Commissioners for consideration. This body votes on whether to circulate the resolution to the membership. Resolutions that are approved at this meeting are then mailed to each member of the Idaho State Bar. Included in this packet is discussion of the purpose of the resolution and the text of each resolution.

Resolution Meetings

District Bar meetings are held in each of the seven districts.

Voting

Each judge and active member of the Idaho State Bar shall be entitled to one vote on each question presented. Questions shall be determined by the total ayes and nays cast statewide.

Members in attendance at a resolution meeting will be provided a ballot to vote on resolutions. Members not in attendance at the meeting will be mailed a ballot after the resolution meeting in

their district. Ballots may be completed and submitted at the resolution meetings, or mailed, faxed or delivered to the Idaho State Bar office. **All ballots must be signed and are due in the Idaho State Bar office by the close of business on Monday, December 7, 2009.**

Amendments

After voting on a resolution as presented at the resolution meeting, District Bar members may vote to offer an amendment to a proposed resolution. Only members attending a resolution meeting will be able to vote on proposed amendments. Thus a District may instruct its representative to offer an amendment at the second meeting of District Bar Presidents.

Conclusion of Process

After all resolution meetings are concluded, the District Bar Representatives meet again on December 11, 2009. At that meeting, the representatives are to cast their votes in accordance with the votes cast by the members of their district bar association. The district representatives may cast votes on amendments as they see fit.

The final versions of successful resolutions are then forwarded to the appropriate recipients.

As of September 2009, the Idaho State Bar voting membership breakdown is as follows:

District	Eligible	% of total
1	400	9%
2	191	4%
3	220	5%
4	1,888	42%
5	299	7%
6	204	5%
7	364	8%
out of state active	899	20%
Total	4,465	100%

***RULE 906. Resolution Process**

- (a) **Purpose and Matters to be Considered.** All matters relating to or affecting the statutes or law of the State of Idaho, rules of court, the policy of the Idaho State Bar or the governance of the Idaho State Bar or of the district bar associations shall be determined by the members of the Idaho State Bar by direct secret ballot or through a vote of the district bar associations, as hereinafter provided in this rule, provided, however, that matters relating to technical corrections, clarification, or implementation of the Idaho Bar Commission Rules may be adopted by the Board of Commissioners and proposed to the Idaho Supreme Court.
- (b) **Submission of Resolutions.** Resolutions may be submitted by the Board of Commissioners, district bar associations, sections or committees of the bar, or by any bar member. Resolutions shall be submitted in writing, with copies of any proposed legislation or rules change attached, to the office of the Executive Director of the Idaho State Bar on or before September 25. Each resolution submitted shall be reviewed by the delegates to the first mid-winter meeting so that they may become familiar with the purpose of the resolution and report to the members of their district bar.
- (c) **Voting - Eligibility.** Each judge and each Idaho State Bar member on active status or house counsel shall be entitled to one vote on each question presented.
- (d) **Voting - Method.** Following the First Midwinter Meeting, the Executive Director shall mail a ballot to all eligible voters, listing all resolutions in "aye or nay" form, and including instructions for return of ballots. Voters may return the ballots to the offices of the Idaho State Bar, or may cast them at their respective District Bar meeting. Questions shall be determined by the combined ayes and nays cast statewide by both methods.
- (e) **First Midwinter Meeting.** The first mid-winter meeting is scheduled in accordance with Rule 905(b).
 - (1) **Delegates.** Each district bar association shall elect or appoint one (1) member from the district bar to serve as delegate to the meeting. Each Bar Commissioner shall also serve as a delegate.
 - (2) **Vote.** The vote of each district bar on any question shall be cast at the October meeting as instructed by the district bar. Each question shall be determined by a majority vote of all delegates present at the meeting.
 - (3) **Determination whether to Circulate.** All resolutions submitted by the district bar associations, Idaho Supreme Court and the Board of Commissioners shall be automatically considered submitted for resolution process consideration, unless two thirds of the delegates present at the October meeting conclude that a proposed resolution is clearly outside the scope of the Bar's authority as an integrated bar.
- (f) **Circulation of Resolutions to Membership.**
 - (1) All resolutions submitted by the district bar associations, Idaho Supreme Court and the Board of Commissioners, and all other resolutions approved by a majority vote cast by the delegates, as provided in this rule, shall be circulated directly to the members of the Idaho State Bar as soon as practical by the Commissioners.
- (g) **Consideration by District Bar Associations.** Each resolution following its dissemination shall be considered by the members of each district bar association at a meeting held prior to December 1 of each year.
- (h) **Amendments to Circulated Resolutions.** Proposed amendments to circulated resolutions may be offered at any district bar association resolution meeting. Once an amendment is proposed at a district bar association resolution meeting, an advisory vote shall be taken at the meeting where the amendment was offered and shall be taken at any subsequent district bar association resolution meetings if the amendment is approved by the advisory vote at the resolution meeting where the amendment was offered. Proposed amendments shall be germane to the original resolution and shall not be contrary to or defeat the intent of the original resolution.
- (i) **Circulation of Proposed Amendments.** Proposed amendments approved by an advisory vote of the members at least one district bar association meeting shall be disseminated to the officers of the district bar associations prior to the second midwinter meeting.
- (j) **Second Midwinter Meeting.** The Second Mid-winter meeting is scheduled in accordance with Rule 905(c).
 - (1) **Delegates.** Each district bar association shall elect or appoint one (1) member of the district bar as the delegate to the meeting who shall cast the vote of the district bar on each resolution circulated and voted on by the members of that district bar association.
 - (2) **Vote.** The vote of each district bar shall be cast according to the ayes and nays cast by the voting members of that district.
 - (A) **On Amendments to Circulated Resolutions.** Notwithstanding any other provisions of this Rule, each delegate shall have discretionary authority to also vote on any proposed amendments offered at one of the district bar association resolution meetings and approved by an advisory vote to said resolutions.
- (k) **Referendum.** A resolution may provide whether a referendum of the membership shall be taken on any question and the form and substance of the question to be presented, which question shall be so framed as to be capable of answer by "yes" or "no".
 - (1) **Ballots - Canvassing.** The Executive Director shall prepare ballots within ten (10) days following the December meeting of the district bar delegates containing such questions and mail one thereof to each member of the Idaho State Bar, such ballots to be returned personally or by mail to the Executive Director within fifteen (15) days after the date the ballot was mailed to each attorney. Envelopes containing voted ballots shall be endorsed and envelopes and ballots opened, deposited and canvassed as provided by Rule 900(c) except that the Board of Commissioners shall constitute the canvassing committee. Canvassing shall be performed at the Board meeting following the closing of balloting and the Board shall declare the majority vote to be the opinion of the Idaho State Bar on said question and publish the same.
 - (l) **Emergency.** If the Commissioners of the Idaho State Bar determine that an emergency exists and that the decision of the Idaho State Bar members is needed on any question, they may call a meeting of or otherwise canvass the delegates of the district bar associations last appointed to attend the December meeting of the district bar delegates or any alternate designated by the district bar president, and upon a majority vote as provided in Rule 906(c) may either adopt a resolution or submit a question for vote to the members of the Bar as provided in Rule 905(a).

*(Rule 906 amended 9-13-04)

RESOLUTION 09-1
[Amendments to Idaho Rules of Professional Conduct 1.0 and 1.10]

Presented By: **Board of Commissioners**

WHEREAS, the Idaho Rules of Professional Conduct were adopted by the Idaho Supreme Court in 1986; and

WHEREAS, the Idaho Rules of Professional Conduct were modeled on the American Bar Association (ABA) Model Rules of Professional Conduct; and

WHEREAS, in 2002 the Board of Commissioners of the Idaho State Bar formed the “E2K Committee” to review the Idaho Rules of Professional Conduct in conjunction with the ABA Ethics 2000 Committee’s recommended amendments and adoption of the ABA House of Delegates; and

WHEREAS, by the resolution process in 2003, the members of the Idaho State Bar voted to amend the Idaho Rules of Professional Conduct consistent with the Idaho E2K Committee’s recommended amendments; and

WHEREAS, the current Idaho Rules of Professional Conduct and comments were adopted by the Idaho Supreme Court effective July 1, 2004; and

WHEREAS, the current version of Idaho Rules of Professional Conduct 1.0 and 1.10 and its comments is based on the ABA Model Rules of Professional Conduct 1.0 and 1.10; and

WHEREAS, in February 2009, the ABA House of Delegates voted to amend Model Rules Professional Conduct 1.0 and 1.10 to permit the screening of a lawyer who moves laterally from one private firm to another, so that conflicts of interests that apply to the moving lawyer under Rule 1.9 (Duties to Former Clients) are not imputed to all other lawyers in the new law firm. The amendment also includes procedures designed to assure the former client that the transferring lawyer does not share the former client’s confidences with his new colleagues and does not participate in the same or substantially related matters against the former the client; and

WHEREAS, the neighboring States of Washington, Oregon, Montana and Utah have rules of professional conduct that permit screening like ABA Model Rule of Professional Conduct 1.10; and

NOW, THEREFORE, BE IT RESOLVED that the members of the Idaho State Bar recommend to the Idaho Supreme Court that Idaho Rules of Professional Conduct 1.0 and 1.10 and the comments thereto be amended consistent with the amendments to ABA Model Rules of Professional Conduct 1.0 and 1.10 as approved by the ABA House of Delegates in February 2009. (A copy of the proposed I.R.P.C. 1.0 and 1.10 and comments is attached to this Resolution.)

RULE 1.0 TERMINOLOGY

Screened

[8] This definition applies to situations where screening of a personally disqualified lawyer is permitted to remove imputation of a conflict of interest under Rules **1.10**, 1.11, ~~or 1.12~~ **or 1.18**.

[9] The purpose of screening is to assure the affected parties that confidential information known by the personally disqualified lawyer remains protected. The personally disqualified lawyer should acknowledge the obligation not to communicate with any of the other lawyers in the firm with respect to the matter. Similarly, other lawyers in the firm who are working on the matter should be informed that the screening is in place and that they may not communicate with the personally disqualified lawyer with respect to the matter. Additional screening measures that are appropriate for the particular matter will depend on the circumstances. To implement, reinforce and remind all affected lawyers of the presence of the screening, it may be appropriate for the firm to undertake such procedures as a written undertaking by the screened lawyer to avoid any communication with other firm personnel and any contact with any firm files or other materials relating to the matter, written notice and instructions to all other firm personnel forbidding any communication with the screened lawyer relating to the matter, denial of access by the screened lawyer to firm files or other materials relating to the matter and periodic reminders of the screen to the screened lawyer and all other firm personnel.

[10] In order to be effective, screening measures must be implemented as soon as practical after a lawyer or law firm knows or reasonably should know that there is a need for screening.

RULE 1.10: IMPUTATION OF CONFLICTS OF INTEREST: GENERAL RULE

(a) While lawyers are associated in a firm, none of them shall knowingly represent a client when any one of them practicing alone would be prohibited from doing so by Rules 1.7 or 1.9, unless

(1) the prohibition is based on a personal interest of the ~~prohibited~~ **disqualified** lawyer and does not present a significant risk of materially limiting the representation of the client by the remaining lawyers in the firm; **or**

(2) **the prohibition is based upon Rule 1.9(a) or (b) and arises out of the disqualified lawyer's association with a prior firm, and**

(i) **the disqualified lawyer is timely screened from any participation in the matter and is apportioned no part of the fee therefrom;**

(ii) **written notice is promptly given to any affected former client to enable the former client to ascertain compliance with the provisions of this Rule, which shall include a description of the screening procedures employed; a statement of the firm's and of the screened lawyer's compliance with these Rules; a statement that review may be available before a tribunal; and an agreement by the firm to respond promptly to any written inquiries or objections by the former client about the screening procedures; and**

(iii) **certifications of compliance with these Rules and with the screening procedures are provided to the former client by the screened lawyer and by a partner of the firm, at reasonable intervals upon the former client's written request and upon termination of the screening procedures.**

(b) When a lawyer has terminated an association with a firm, the firm is not prohibited from thereafter representing a person with interests materially adverse to those of a client represented by the formerly associated lawyer and not currently represented by the firm, unless:

(1) the matter is the same or substantially related to that in which the formerly associated lawyer represented the client; and

- (2) any lawyer remaining in the firm has information protected by Rules 1.6 and 1.9(c) that is material to the matter.
- (c) A disqualification prescribed by this rule may be waived by the affected client under the conditions stated in Rule 1.7.
- (d) The disqualification of lawyers associated in a firm with former or current government lawyers is governed by Rule 1.11.

Commentary

Definition of "Firm"

[1] For purposes of the Rules of Professional Conduct, the term "firm" denotes lawyers in a law partnership, professional corporation, sole proprietorship or other association authorized to practice law; or lawyers employed in a legal services organization or the legal department of a corporation or other organization. See Rule 1.0(c). Whether two or more lawyers constitute a firm within this definition can depend on the specific facts. See Rule 1.0, Comments [2] - [4].

Principles of Imputed Disqualification

[2] The rule of imputed disqualification stated in paragraph (a) gives effect to the principle of loyalty to the client as it applies to lawyers who practice in a law firm. Such situations can be considered from the premise that a firm of lawyers is essentially one lawyer for purposes of the rules governing loyalty to the client, or from the premise that each lawyer is vicariously bound by the obligation of loyalty owed by each lawyer with whom the lawyer is associated. Paragraph (a)(1) operates only among the lawyers currently associated in a firm. When a lawyer moves from one firm to another, the situation is governed by Rules 1.9(b) and 1.10(a)(2) and 1.10(b).

[3] The rule in paragraph (a) does not prohibit representation where neither questions of client loyalty nor protection of confidential information are presented. Where one lawyer in a firm could not effectively represent a given client because of strong political beliefs, for example, but that lawyer will do no work on the case and the personal beliefs of the lawyer will not materially limit the representation by others in the firm, the firm should not be disqualified. On the other hand, if an opposing party in a case was owned by a lawyer in the law firm, and others in the firm would be materially limited in pursuing the matter because of loyalty to that lawyer, the personal disqualification of the lawyer would be imputed to all others in the firm.

[4] The rule in paragraph (a) also does not prohibit representation by others in the law firm where the person prohibited from involvement in a matter is a nonlawyer, such as a paralegal or legal secretary. Nor does paragraph (a) prohibit representation if the lawyer is prohibited from acting because of events before the person became a lawyer, for example, work that the person did while a law student. Such persons, however, ordinarily must be screened from any personal participation in the matter to avoid communication to others in the firm of confidential information that both the nonlawyers and the firm have a legal duty to protect. See Rules 1.0(k) and 5.3.

[5] Rule 1.10(b) operates to permit a law firm, under certain circumstances, to represent a person with interests directly adverse to those of a client represented by a lawyer who formerly was associated with the firm. The Rule applies regardless of when the formerly associated lawyer represented the client. However, the law firm may not represent a person with interests adverse to those of a present client of the firm, which would violate Rule 1.7. Moreover, the firm may not represent the person where the matter is the same or substantially related to that in which the formerly associated lawyer represented the client and any other lawyer currently in the firm has material information protected by Rules 1.6 and 1.9(c).

[6] Rule 1.10(c) removes imputation with the informed consent of the affected client or former client under the conditions stated in Rule 1.7. The conditions stated in Rule 1.7 require the lawyer to determine that the representation is not prohibited by Rule 1.7(b) and that each affected client or former client has given informed consent to the representation, confirmed in writing. In some cases, the risk may be so severe that the conflict may not be cured by client consent. For a discussion of the effectiveness of client waivers of conflicts that might arise in the future, see Rule 1.7, Comment [22]. For a definition of informed consent, see Rule 1.0(e).

[7] Rule 1.10(a)(2) similarly removes the imputation otherwise required by Rule 1.10(a), but unlike section (c), it does so without requiring that there be informed consent by the former client. Instead, it requires that the procedures laid out in sections (a)(2)(i)-(iii) be followed. A description of effective screening mechanisms appears in Rule 1.0(k). Lawyers should be aware, however, that even where screening mechanisms have been adopted, tribunals may consider additional factors in ruling upon motions to disqualify a lawyer from pending litigation.

[8] Paragraph (a)(2)(i) does not prohibit the screened lawyer from receiving a salary or partnership share established by prior independent agreement, but that lawyer may not receive compensation directly related to the matter in which the lawyer is disqualified.

[9] The notice required by paragraph (a)(2)(ii) generally should include a description of the screened lawyer's prior representation and be given as soon as practicable after the need for screening becomes apparent. It also should include a statement by the screened lawyer and the firm that the firm that the client's material confidential information has not been disclosed or used in violation of the Rules. The notice is intended to enable the former client to evaluate and comment upon the effectiveness of the screening procedures.

[10] The certifications required by paragraph (a)(2)(iii) give the former client assurance that the client's material confidential information has not been disclosed or used inappropriately, either prior to timely implementation of a screen or thereafter. If compliance cannot be certified, the certificate must describe failure to comply.

~~[7]~~[11] Where a lawyer has joined a private firm after having represented the government, imputation is governed by Rule 1.11(b) and (c), not this Rule. Under Rule 1.11(d), where a lawyer represents the government after having served clients in private practice, nongovernmental employment or in another government agency, former-client conflicts are not imputed to government lawyers associated with the individually disqualified lawyer.

~~[8]~~[12] Where a lawyer is prohibited from engaging in certain transactions under Rule 1.8, paragraph (k) of that Rule, and not this Rule, determines whether that prohibition also applies to other lawyers associated in a firm with the personally prohibited lawyer.

RESOLUTION 09-2
[Amendment to Idaho Rule of Professional Conduct 3.8]

Presented By: **Board of Commissioners**

WHEREAS, the Idaho Rules of Professional Conduct were adopted by the Idaho Supreme Court in 1986; and

WHEREAS, the Idaho Rules of Professional Conduct were modeled on the American Bar Association (ABA) Model Rules of Professional Conduct; and

WHEREAS, in 2002 the Board of Commissioners of the Idaho State Bar formed the “E2K Committee” to review the Idaho Rules of Professional Conduct in conjunction with the ABA Ethics 2000 Committee’s recommended amendments and adoption by the ABA House of Delegates; and

WHEREAS, by the resolution process in 2003, the members of the Idaho State Bar voted to amend the Idaho Rules of Professional Conduct consistent with the Idaho E2K Committee’s recommended amendments; and

WHEREAS, the current Idaho Rules of Professional Conduct and comments were adopted by the Idaho Supreme Court effective July 1, 2004; and

WHEREAS, the current version of Idaho Rule of Professional Conduct 3.8 and its comments is based on the ABA Model Rule of Professional Conduct 3.8; and

WHEREAS, in February 2008, the ABA House of Delegates voted to amend Model Rule of Professional Conduct 3.8 to add new sub-paragraphs (g) and (h), to amend Comment [1] and to add Comments [7] - [9]; and

WHEREAS, the Idaho Prosecuting Attorneys’ Association and the Idaho Innocence Project, have both provided the Board of Commissioners with their written support to amend Idaho Rule of Professional Conduct 3.8 to be consistent with Model Rule of Professional Conduct 3.8; and

NOW, THEREFORE, BE IT RESOLVED that the members of the Idaho State Bar recommend to the Idaho Supreme Court that Idaho Rule of Professional Conduct 3.8 be amended consistent with the amendments to ABA Model Rule of Professional Conduct 3.8 approved by the ABA House of Delegates in February 2008. (A copy of the proposed I.R.P.C. 3.8 and comments is attached to this Resolution.)

RULE 3.8: SPECIAL RESPONSIBILITIES OF A PROSECUTOR

The prosecutor in a criminal case shall:

- (a) refrain from prosecuting a charge that the prosecutor knows is not supported by probable cause;
- (b) make reasonable efforts to assure that the accused has been advised of the right to, and the procedure for obtaining, counsel and has been given reasonable opportunity to obtain counsel;
- (c) not seek to obtain from an unrepresented accused a waiver of important pretrial rights, such as the right to a preliminary hearing;
- (d) make timely disclosure to the defense of all evidence or information known to the prosecutor that tends to negate the guilt of the accused or mitigates the offense, and, in connection with sentencing, disclose to the defense and to the tribunal all unprivileged mitigating information known to the prosecutor, except when the prosecutor is relieved of this responsibility by a protective order of the tribunal;
- (e) not subpoena a lawyer in a grand jury or other criminal proceeding to present evidence about a past or present client unless the prosecutor reasonably believes:
 - (1) the information sought is not protected from disclosure by any applicable privilege;
 - (2) the evidence sought is essential to the successful completion of an ongoing investigation or prosecution; and
 - (3) there is no other feasible alternative to obtain the information;
- (f) except for statements that are necessary to inform the public of the nature and extent of the prosecutor's action and that serve a legitimate law enforcement purpose, refrain from making extrajudicial comments that have a substantial likelihood of heightening public condemnation of the accused and exercise reasonable care to prevent investigators, law enforcement personnel, employees or other persons assisting or associated with the prosecutor in a criminal case from making an extrajudicial statement that the prosecutor would be prohibited from making under Rule 3.6 or this Rule;
- (g) **when a prosecutor knows of new, credible material evidence creating a reasonable likelihood that a convicted defendant did not commit an offense of which the defendant was convicted, the prosecutor shall:**
 - (1) **promptly disclose that evidence to an appropriate court or authority, and**
 - (2) **if the conviction was obtained in the prosecutor's jurisdiction,**
 - (A) **promptly disclose that evidence to the defendant unless a court authorizes delay, and**
 - (B) **undertake further investigation, or make reasonable efforts to cause an investigation, to determine whether the defendant was convicted of an offense that the defendant did not commit.**
- (h) **when a prosecutor knows of clear and convincing evidence establishing that a defendant in the prosecutor's jurisdiction was convicted of an offense that the defendant did not commit, the prosecutor shall seek to remedy the conviction.**

Commentary

[1] A prosecutor has the responsibility of a minister of justice and not simply that of an advocate. This responsibility carries with it specific obligations to see that the defendant is accorded procedural justice, ~~and that guilt is decided upon the basis of sufficient evidence,~~ **and that special precautions are taken to prevent and to rectify the conviction of innocent persons.** ~~Precisely how far the prosecutor is required to go in this direction~~ **The extent of mandated remedial action** is a matter of debate and varies in different jurisdictions. Many jurisdictions have adopted the ABA Standards of Criminal Justice Relating to the Prosecution Function, which ~~in turn~~ are the product of prolonged and careful deliberation by lawyers experienced in both criminal prosecution and defense. **Competent representation of the sovereignty may require a prosecutor to undertake some procedural and remedial measures as a matter of obligation.** Applicable law may require other measures by the prosecutor and knowing disregard of those obligations or a systematic abuse of prosecutorial discretion could constitute a violation of Rule 8.4.

[2] In some jurisdictions, a defendant may waive a preliminary hearing and thereby lose a valuable opportunity to challenge probable cause. Accordingly, prosecutors should not seek to obtain waivers of preliminary hearings or other important pretrial rights from unrepresented accused persons. Paragraph (c) does not apply, however, to an accused appearing *pro se* with the approval of the tribunal. Nor does it forbid the lawful questioning of an uncharged suspect who has knowingly waived the rights to counsel and silence.

[3] **The exception in paragraph (d) recognizes that a prosecutor may seek an appropriate protective order from the tribunal if disclosure of information to the defense could result in substantial harm to an individual or to the public interest.**

[4] Paragraph (e) is intended to limit the issuance of lawyer subpoenas in grand jury and other criminal proceedings to those situations in which there is a genuine need to intrude into the client-lawyer relationship.

[5] Paragraph (f) supplements Rule 3.6, which prohibits extrajudicial statements that have a substantial likelihood of prejudicing an adjudicatory proceeding. In the context of a criminal prosecution, a prosecutor's extrajudicial statement can create the additional problem of increasing public condemnation of the accused. Although the announcement of an indictment, for example, will necessarily have severe consequences for the accused, a prosecutor can, and should, avoid comments which have no legitimate law enforcement purpose and have a substantial likelihood of increasing public opprobrium of the accused. Nothing in this Comment is intended to restrict the statements which a prosecutor may make which comply with Rule 3.6(b) or 3.6(c).

[6] Like other lawyers, prosecutors are subject to Rules 5.1 and 5.3, which relate to responsibilities regarding lawyers and nonlawyers who work for or are associated with the lawyer's office. Paragraph (f) reminds the prosecutor of the importance of these obligations in connection with the unique dangers of improper extrajudicial statements in a criminal case. In addition, paragraph (f) requires a prosecutor to exercise reasonable care to prevent persons assisting or associated with the prosecutor from making improper extrajudicial statements, even when such persons are not under the direct supervision of the prosecutor. Ordinarily, the reasonable care standard will be satisfied if the prosecutor issues the appropriate cautions to law-enforcement personnel and other relevant individuals.

[7] **When a prosecutor knows of new, credible material evidence creating a reasonable likelihood that a person outside the prosecutor's jurisdiction was convicted of a crime that the person did not commit, paragraph (g) requires prompt disclosure to the court or other appropriate authority, such as the chief prosecutor of the jurisdiction where the conviction occurred. If the conviction was obtained in the prosecutor's jurisdiction, paragraph (g) requires the prosecutor to examine the evidence and undertake further investigation to determine whether the defendant is in fact innocent or make reasonable efforts to cause another appropriate authority to undertake the necessary investigation, and to promptly disclose the evidence to the court and, absent court-authorized delay, to the defendant. Consistent with the objectives of Rules 4.2 and 4.3, disclosure to a represented defendant must be made through the defendant's counsel, and, in the case of an unrepresented defendant, would ordinarily be accompanied by a request to a court for the appointment of counsel to assist the defendant in taking such legal measures as may be appropriate.**

[8] **Under paragraph (h), once the prosecutor knows of clear and convincing evidence that the defendant was convicted of an offense that the defendant did not commit, the prosecutor must seek to remedy the conviction. Necessary steps may include disclosure of the evidence to the defendant, requesting that the court appoint counsel for an unrepresented indigent defendant and, where appropriate, notifying the court that the prosecutor has knowledge that the defendant did not commit the offense of which the defendant was convicted.**

[9] **A prosecutor's independent judgment, made in good faith, that the new evidence is not of such nature as to trigger the obligations of sections (g) and (h), though subsequently determined to have been erroneous, does not constitute violation of this Rule.**

RESOLUTION 09-3
[Proposed Increase in Attorney License Fees]

Presented By: **Board of Commissioners**

WHEREAS, License fees are vital to continuing to administer the regulatory functions of the Idaho State Bar and to providing services to bar members and the public; and

WHEREAS, License fees have not been increased since 1999; and

WHEREAS, The Board of Commissioners have analyzed the current financial condition and future budget needs of the bar and have determined that is it time to request an increase in the license fees.

NOW, THEREFORE, BE IT RESOLVED THAT Section III of the *Idaho Bar Commission Rules* and Idaho Code Section 3-409 be amended to provide for an increase of the annual license fees. The proposed increase in the annual license fees to be phased in over a two (2) year period, with one half of the increase in 2011 and one half of the increase in 2012.

.....

RULE 303. Annual License Fees. Maintenance of membership in the Idaho State Bar shall require the payment of a non refundable annual license fee payable on or before February 1 of the year 2011, ~~and on or before February 1 of each year thereafter,~~ as prescribed below.

(a) Active Member and House Counsel

(1) In the calendar year of admission:

(A) ~~One hundred forty dollars (\$140.00)~~ One hundred and fifty five dollars (\$155) if admitted prior to July 1 of the calendar year.

(B) ~~Ninety dollars (\$90.00)~~ One hundred dollars (\$100) if admitted after July 1 of the calendar year; or

(2) ~~Two hundred fifty five dollars (\$255.00)~~ Two hundred and eighty five dollars (\$285) in the first, second and third full calendar years of admission.

(3) ~~Three hundred forty dollars (\$340.00)~~ three hundred and eighty dollars (\$380) in the fourth full calendar year of admission and each and every year thereafter until the calendar year following the lawyer's seventy-second birthday and for such calendar year and each year thereafter, the sum of ~~fifty five dollars (\$55.00)~~ sixty dollars (\$60).

(b) Affiliate/Emeritus Members

(1) ~~One hundred twenty dollars (\$120.00)~~ One hundred and thirty five dollars (\$135) in each year affiliate or emeritus membership is maintained until the calendar year following the lawyer's seventy-second birthday and for such calendar year and each year thereafter, the sum of ~~fifty five dollars (\$55.00)~~ sixty dollars (\$60).

RULE 303.1 Annual License Fees. Maintenance of membership in the Idaho State Bar shall require the payment of a non refundable annual license fee payable on or before February 1 of the year 2012, and on or before February 1 of each year thereafter, as prescribed below.

(a) Active Member and House Counsel

(1) In the calendar year of admission:

(A) One hundred and seventy five dollars (\$175) if admitted prior to July 1 of the calendar year.

(B) One hundred and fifteen dollars (\$115) if admitted after July 1 of the calendar year; or

(2) Three hundred and twenty dollars (\$320) in the first, second and third full calendar years of admission.

(3) Four hundred and twenty five dollars (\$425) in the fourth full calendar year of admission and each and every year thereafter until the calendar year following the lawyer's seventy second birthday and for such calendar year and each year thereafter, the sum of ~~seventy dollars (\$70).~~

(b) Affiliate/Emeritus Members

(1) One hundred fifty dollars (\$150) in each year affiliate or emeritus membership is maintained until the calendar year following the lawyer's seventy second birthday and for such calendar year and each year thereafter, the sum of seventy dollars (\$70).

PROPOSED ATTORNEY LICENSE FEE INCREASE: RESOLUTION 09-3

PURPOSE: The resolution proposes an increase in the license fees for Idaho attorneys to be phased in over a two year period, 2011 and 2012.

When was the last license fee increase? The last general license fee increase was approved by the membership in 1997 and phased in over two years, 1999 and 2000. At that time, the Bar Commissioners committed to do their best to abstain from requesting another increase for 10 years and that goal has been accomplished. If approved, the proposed license fee increase will be phased in over a two year period, with the first half of the total increase in 2011 and then remaining portion, just a little over one-half, in 2012.

For the last three years, the Board of Commissioners has been reviewing the financial status of the Idaho State Bar to determine when a license fee increase would be necessary.

Historically, since 1975, a license fee increase has been necessary every 8-10 years (and now 12). There have been increases in 1975, 1982, 1990, and 1999. There were 3,787 members of the Idaho State Bar in 1997; as of October 2, 2009, there are 5,350 members – an increase of 42%. While the revenue from a larger membership has helped absorb some of the increased cost over the past years, increasing bar membership does not offset incrementally increasing expenses forever.

How does the bar spend its funds? The Idaho State Bar's primary responsibility is its regulatory functions, essentially serving as a quasi-governmental organization, to oversee and administer admissions, licensing and discipline for its members. Consistent with this responsibility, about 63% of the Bar's expenses are allocated to its regulatory responsibilities, which include the Client Assistance Fund, fee arbitration, ethics advice, discipline, and District Bar Association allocations, among others. Approximately 20% of the Bar's expenses are related to member services such as *The Advocate* and other communications, Casemaker, the lawyer referral service (LRS), the lawyer assistance program, Desk Book Directory, and the Annual Conference. The remaining 17% or so of our expenses is for the administration of these functions. Some of the cost of admissions, member services activities, and administration is covered by other revenue sources. For example, admission fees cover about 75% of admission expenses, and about 50% of the expense of publishing *The Advocate* is covered by advertising and subscription revenue. Further, the MCLE accreditation process is generally covered by the fees paid by program sponsors to apply for CLE accreditation.

In an ongoing effort to reduce its expenses, the Bar is now publishing fewer *Advocate* issues and conducting more communication through its website and via email rather than hard-copy mailings. Yellow Page advertising for LRS has been reduced, LRS online has reduced staff time spent handling LRS calls, and online licensing is now available. The Bar continues to explore and implement technological improvements in an effort to reduce costs and staff time to carry out the functions and responsibilities of the Bar.

How much is the proposed fee increase and when would it be effective? Specifically, the proposal would increase the license fees as follows:

Licensing Category	Current Fee	2011	2012
Active	\$340	\$380	\$425
Active (3 years or less)	255	285	320
New admittee – prior to 7/1	140	155	175
New admittee – after 7/1	90	100	115
Affiliate	120	135	150
Over 72 and emeritus	50	60	70

The proposed increase represents less than a 2% increase per year, over a 10-year period. The average CPI Index for the same period was 2.8%.

How do Idaho's license fees compare to similar unified bars? Idaho's license fees are comparable to those of similar unified state bars. The 2009 license fees* for active bar members from other Western unified state bars are as follows:

Arizona - \$570
Nevada \$490
Oregon - \$482
Alaska - \$460
Washington –\$430
Montana - \$370
Utah - \$360
Idaho - \$360
Wyoming - \$310

*NOTE: license fees listed include other assessments such as the \$20 client assistance fee by Idaho lawyers

Of the 33 unified bars that responded to a recent ABA survey, only seven state bars (including Idaho), had not raised license fees in the last seven (7) years, with 21 of the 33 state bars raising their fees in the last 2-4 years.

So, what's next? If a proposed license fee increase is approved by the Idaho State Bar membership, it would then be submitted to the Idaho legislature and Idaho Supreme Court for approval. License fees are set both by statute and Idaho Bar Commission Rule. If the increase is approved by these entities, it would take effect for the 2011 licensing year.

The mission of the Idaho State Bar is to administer granting the privilege to practice law in Idaho; to control and regulate the legal profession; to protect the public from the unauthorized practice of law and from unprofessional conduct by members of the bar; to promote high standards of professional conduct; and to aid the advancement of the administration of justice.

RESOLUTION 09-4
[Amendments to Section II Admissions of the Idaho Bar Commission Rules]

Presented by: Board of Commissioners and the Admissions Rules Review Committee

- WHEREAS, Section II of the Idaho Bar Commission Rules (IBCR), the procedural rules for admission to the practice of law in Idaho, was adopted by the Idaho Supreme Court on November 1, 1986, and amendments have been made since that time; and
- WHEREAS, due to changes in procedures, process and practice, IBCR Section II Admissions rules were in need of revision to clarify, consolidate and update; and
- WHEREAS, the Board of Commissioners of the Idaho State Bar formed the “Admissions Rules Review Committee” comprised of the Chair of the Character and Fitness Committee, S. Kay Christensen; Chair of the Bar Examination Preparation Committee, Lane V. Erickson; Bar Counsel, Bradley G. Andrews; Justice Roger S. Burdick; Executive Director, Diane K. Minnich; Admissions Director, M. Carol McDonald; and Board Liaison, Deborah A. Ferguson, to review Section II of the Idaho Bar Commission Rules and propose amendments; and
- WHEREAS, the Board of Commissioners recommends the proposed amendments to IBCR Section II Admissions be adopted;

NOW, THEREFORE, BE IT RESOLVED THAT the Board of Commissioners recommends that the members of the Idaho State Bar recommend to the Idaho Supreme Court that IBCR Section II Admissions be amended consistent with the proposed Amendments to the Rules by the Admissions Rules Review Committee.

IDAHO BAR COMMISSION RULES
SECTION II-ADMISSIONS
HIGHLIGHTS OF PROPOSED RULE CHANGES

The revision of these rules required substantial changes including some rules to be combined with other rules and renumbered. The following chart identifies the old Rule, the new Rule and, where applicable, a summary of the substantive changes made to the rule. A clean copy of the final rules and the red-lined/strike-out copy of the rules are posted on the Idaho State Bar's website at: www.isb.idaho.gov. An email will be sent to each voting member of the Idaho State Bar with a link to the proposed rules.

Old Number and Name	New Number and Name	Proposed Substantive Changes to the Rule
RULE 200. Definitions.	RULE 200. Definitions.	The current rule allows only graduates from an American Bar Association approved law school to be eligible for admission to the practice of law in Idaho. The ABA states the following: <i>...a law school that is provisionally approved is entitled to all the rights of a fully approved law school and similarly, graduates of a provisionally approved law school are entitled to the same recognition that is accorded graduates of fully approved law schools.</i> Therefore, subsection (d) was revised to allow graduates from provisionally approved law schools to apply for admission. This revision standardizes our requirements with the ABA and those of other jurisdictions.
RULE 200A. Essential Eligibility Requirements for the Practice of Law.	RULE 201. Essential Eligibility Requirements for the Practice of Law.	After reviewing other state's essential eligibility requirements, equivalent requirements were selected that are clearer and more concise than the current requirements.
RULE 201. Student Applicants.	RULE 202. Qualifications for Admission.	Rules 201 through 204 were completely revised to combine the basic requirements for all applicants for admission; including applicants to sit for the bar exam, reciprocal admission applicants and house counsel applicants.
RULE 202. Application for Admission by Student Applicants.	RULE 203. Application for Admission.	The proposed changes modify the late deadline to be two weeks earlier than in the current rule so the character and fitness process can continue to be completed before the bar exam.
RULE 203. Attorney Applicants.	RULE 204. Completed Application-Penalty for Failure to Disclose Information.	This rule was revised to define the requirements of a complete application for all applicants.
RULE 204. Application for Admission by Attorney Applicants.	RULE 205. Attorney Applicants.	The requirements and application process for all applicants is addressed in Rules 203 and 204. This rule was revised to include the requirement that attorney applicants must submit proof of admission to the practice of law in another jurisdiction.
RULE 204A. Reciprocal Applicants.	RULE 206. Reciprocal Applicants.	Parts of this rule were eliminated because they are now covered under new Rules 202 and 203. The proposed rule adds subsection (a)(2)(A) to clarify the active practice of law for the purposes of this rule. It also adds subsection (b)(5) stating that a reciprocal applicant may not have failed the Idaho bar examination in the last five years, which is consistent with other jurisdictions.

Old Number and Name	New Number and Name	Substantial Changes to the Current Rule
RULE 205. Foreign Applicants.	Deleted	This rule was deleted since the requirements for all applicants are listed in the new Rule 202.
RULE 205A. Foreign Legal Consultants.	RULE 207. Foreign Legal Consultants.	There were no substantive changes to this rule.
RULE 206. Investigation of Applicants.	RULE 208. Investigation of Applicants.	Section (b) Early Application, of this rule was added in June of 1998, and since that time, the Idaho State Bar has not received an early application. Since Section (b) has not been utilized, it was deleted.
RULE 207. Committee on Character and Fitness.	RULE 209. Character and Fitness Committee.	There were no substantive changes to this rule.
RULE 207A. Committee on Reasonable Accommodations.	RULE 213. Committee on Reasonable Accommodations.	There were no substantive changes to this rule.
RULE 208. Standards for Disqualification	RULE 210. Standards for Disqualification	There were no substantive changes to this rule.
RULE 208A. Reasonable Accommodations	RULE 214. Reasonable Accommodations.	There were no substantive changes to this rule.
RULE 209. Action by Board	RULE 215. Action by Board.	There were no substantive changes to this rule.
RULE 209A. Conditional Admission	RULE 212. Conditional Admission	The proposed rule adopts the ABA Conditional Admission model rule with appropriate Idaho specific changes.
RULE 210. Examination	RULE 217. Examination	This rule was amended to add an examination code of conduct which is standard procedure in many jurisdictions.
RULE 211. Re-examination	RULE 218. Re-examination	The current rule requires an applicant after failing the bar examination three times to request special permission from the Board of Commissioners to take the bar exam again. This rule was revised to allow applicants to fail six times before requesting permission to take the bar exam again.
RULE 212. Deferment	RULE 219. Deferment	There were no substantive changes to this rule.
RULE 213. Review by the Supreme Court	RULE 216. Review by the Supreme Court	The petition process to the Idaho Supreme Court for unsuccessful bar exam applicants was deleted.
RULE 214. Procedure for Admission	RULE 220. Procedure for Admission	There were no substantive changes to this rule.

Old Number and Name	New Number and Name	Substantial Changes to the Current Rule
RULE 215. Objection to Admission	RULE 211. Objection to Admission	There were no substantive changes to this rule.
RULE 216. Subpoena Power, Witnesses, Pre-Trial Procedures	RULE 221. Subpoena Power, Witnesses, Procedures	There were no substantive changes to this rule.
RULE 217. Immunity	RULE 222. Immunity	There were no substantive changes to this rule.
RULE 218. Confidentiality	RULE 223. Confidentiality	There were no substantive changes to this rule.
RULE 219. Additional Rules of Procedure	RULE 224. Additional Rules of Procedure	There were no substantive changes to this rule.
RULE 220. House Counsel License	RULE 225. House Counsel License	<p>The proposed rule clarifies that all attorneys employed as a house counsel in Idaho must be licensed by the Idaho State Bar.</p> <p>Most house counsel applicants can apply for full admission under the reciprocal admission rule. Therefore, section (h) of this rule, which allows house counsel attorneys to ask for permission to sit for the next scheduled bar exam within thirty days of that exam, was deleted. With this deletion, house counsel attorneys who do not qualify for reciprocal admission and want to sit for the bar exam will be required to submit an application for the exam and meet the same requirements and deadlines as other applicants.</p>
RULE 221. Legal Intern License	RULE 226. Legal Intern License	<p>The intent of this rule was to allow law students to gain law practice experience. With the expansion of reciprocal jurisdictions, applications for legal intern licenses from attorneys have decreased, with no one applying in 2008 and just 2 in 2009. Therefore, the proposed rule eliminates Section (b)(2), which allowed attorneys from other states to apply for a legal intern license. Additionally, the rule eliminates legal intern licenses for unsuccessful bar exam applicants.</p> <p>This rule was amended to terminate a legal intern license upon either the results of the first bar examination after graduation for unsuccessful applicants or upon admission at the next scheduled admission ceremony after graduation for successful applicants. The proposal also allows more than one attorney to supervise an intern.</p>
RULE 222. Limited Admission/Pro Hac Vice	RULE 227. Limited Admission/Pro Hac Vice	Currently, Pro Hac Vice admission requires that the attorneys submit a copy of the motion and fee to the Idaho State Bar. The proposed rule was amended to include the submission of a Certificate of Good Standing from the jurisdiction where the out of state attorney maintains a law practice and a copy of the proposed order along with the motion. It also includes the submission of a Certificate of Compliance asserting that the attorney consents to the exercise of disciplinary jurisdiction by the court and the Idaho State Bar over any alleged misconduct which occurs during the progress of the case as is stated in the rule. The Certificate of Compliance will be available on the Idaho State Bar website and will serve as a cover sheet to the motion. The Pro Hac Vice Motion must also contain proof that opposing counsel has been served and state any limit on admissions in the out of state attorney's jurisdiction of practice.
RULE 223. Emeritus License	RULE 228. Emeritus License	There were no substantive changes to this rule.



2009 RESOLUTION PROCESS MEETING SCHEDULE

<i>Second District</i> Lewiston	<i>Karin Seubert, President</i> Thursday, Nov. 12th Red Lion Hotel	6:00 p.m.
<i>First District</i> Coeur d'Alene	<i>John Cafferty, President</i> Friday, Nov. 13th Hampton Inn	12 Noon
<i>Third District</i> Caldwell	<i>Samuel Laugheed, President</i> Tuesday, Nov. 17th Elks Lodge	6:00 p.m.
<i>Fourth District</i> Boise	<i>James Martin, President</i> Wednesday, Nov. 18th The Grove Hotel	12 Noon
<i>Fifth District</i> Twin Falls	<i>David Heida, President</i> Wednesday, Nov. 18th Canyon Crest Event Center	6:00 p.m.
<i>Sixth District</i> Pocatello	<i>James Spinner, President</i> Thursday, Nov. 19th Juniper Hills Country Club	12 Noon
<i>Seventh District</i> Idaho Falls	<i>Curtis Smith, President</i> Friday, Nov. 20th Sandpiper Restaurant	12 Noon